

REMARKS

A petition to extend the time for response by two (2) months is enclosed herewith.

The specification has been amended. Claim 12 has been amended. Claims 12 - 31 are currently pending.

In the Office Action, the specification is objected to. Further in the Office Action, claims 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Repper et al US Patent Application No. 2005/0089809. Also, in the Office Action, claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Repper et al US Patent Application No. 2005/0089809 in view of Damrath et al US Patent No. 5,938,425. Additionally, in the Office Action, claims 18-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Repper et al US Patent Application No. 2005/0089809 in view of Frasnetti et al US Patent No. 5,924,857.

With regard to the objection to the specification, it is respectfully submitted that this objection is now overcome in view of the amendment of the specification.

With regard to the rejection of the claims in view of the prior art, favorable reconsideration is respectfully requested in view of the following comments.

With regard to claim 12 of the present application as currently amended, it is respectfully submitted that Repper et al US Patent Application No. 2005/0089809 fails to teach or disclose the feature recited in claim 12 of the present application as currently amended of a control device that automatically controls the burner to a starting heating capacity stage in which the gas burner operates in the continuous mode when the gas burner is switched on by the touch contact with

the control device operating to control the burner to a starting heating capacity stage irrespective of any conflicting control instructions that may have inputted by a user via the touch contact. Instead, Repper et al US Patent Application No. 2005/0089809 merely teaches that a user may touch arrow keys 203 to raise or lower the gas power level (see Page 5 para [0053] of Repper et al US Patent Application No. 2005/0089809).

It is also respectfully submitted that none of the other cited references Damrath et al US Patent No. 5,938,425 or Frasnetti et al US Patent No. 5,924,857. overcome the Repper et al US Patent Application No. 2005/0089809. Accordingly, it is submitted that claim 12 of the present application, and claims 13 – 21 depending ultimately therefrom, patentably define over the prior art of record and are allowable. Additionally, it is submitted that claim 22 of the present application, and claims 23 - 31 depending ultimately therefrom, all patentably define over the prior art of record for the same reasons as discussed hereinabove with respect to claim 12 and are allowable.

In view of the above, allowance of Claims 12 - 31 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned.

Respectfully submitted,



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October 25, 2007

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